

Report Date: December 15, 2017

United States District Court

for the

Eastern District of Washington

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DEC 18 2017

SEAN F. McAVOY, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Eric Lynn Heartburg Case Number: 0980 2:04CR00061-WFN-1  
Address of Offender: Spokane, Washington 99201  
Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge  
Date of Original Sentence: June 14, 2004  
Original Offense: Armed Bank Robbery, 18 U.S.C. § 2113(a) and (d) - 2 counts  
Original Sentence: Prison - 120 months Type of Supervision: Supervised Release  
TSR - 36 months  
Asst. U.S. Attorney: Stephanie Van Marter Date Supervision Commenced: February 7, 2017  
Defense Attorney: Federal Defender's Office Date Supervision Expires: February 6, 2020

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PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number      Nature of Noncompliance

- 1      **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** On February 8, 2017, Mr. Heartburg's conditions of supervision were reviewed with him. He signed his conditions, acknowledging an understanding of his conditions, to include standard condition number 3, as noted above.

On November 20, 2017, Mr. Heartburg reported to the probation office. After the office visit, he was directed to report back to the undersigned officer on December 4, 2017. Mr. Heartburg failed to report as directed

- 2      **Special Condition # 10:** You shall abstain from the use of alcohol and illegal controlled substances, and shall submit to urinalysis testing, including Breathalyzer testing, as directed by the supervising probation officer.

**Supporting Evidence:** On February 8, 2017, Mr. Heartburg's conditions of supervision were reviewed with him. He signed his conditions, acknowledging an understanding of his conditions, to include special condition number 10, as noted above

Re: Heartburg, Eric Lynn

December 15, 2017

Page 2

Mr. Heartburg violated his conditions of supervised release by using methamphetamine on December 5 and 12, 2017.

On December 14, 2017, Mr. Heartburg reported to the U.S. Probation Office, as directed by the undersigned officer. He was directed to submit to a urinalysis test. A urine sample was collected, which tested positive for methamphetamine. Mr. Heartburg admitted to using methamphetamine on December 5 and 12, 2017. The urine sample was sent to Alere Toxicology for further testing. The results are pending.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/15/2017

s/Corey M. McCain

Corey M. McCain  
U.S. Probation Officer

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## THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

12/18/17

Date